

ARLINGTON FINANCE COMMITTEE
MINUTES OF MEETING
7:30PM COMMUNITY SAFETY BUILDING
2/7/11

ATTENDEES:

McGaffigan*	Bayer*	Jenkins*	Phelps*	Corredera*
DeCoursey	Connors	Simmons*	Gibian*	
Tosti*	Foskett*	Deyst*	Ronan*	
Ferrara*	Franclemont*	Jones*	Deshler	
DuBois*	Howard*	Fanning*	Carman*	Turkall*

* Indicates present

VISITORS: Retirement Board Chair John Bilafer, Retirement Board Executive Richard Greco, Michelle Durocher

Chairman Tosti welcomed new members and introduced them to old members.

ELECTION PARTICIPATION: Tosti reminded members of the policy of avoiding public participation in elections for local office. The purpose of this policy is to enable to FinCom to propose actions without being accused of favoritism.

WARRANT: A draft copy of the warrant dated 2/7/11 was provided to all members (Ref 1). The Articles are not numbered.

RETIREMENT BOARD ARTICLES: Bilafer, supported by Greco, presented the following 4 articles.

PENSION ADJUSTMENT FOR FORMER 25 YEAR/ACCIDENTAL DISABILITY EMPLOYEES: Bilafer stated that this is an annual appropriation that allows the Board to adjust the pensions of employees who retired after at least 25 yrs service or who retired with a disability so that their pensions would never fall below 50% of the base salary of the position they held when they retired.. He said this costs \$15k to \$20K annually. Greco to ask PERAC how other towns handle this issue.

APPROPRIATION OPEB TRUST FUND: Bilafer reminded the FinCom that this obligation to pay retiree health care is on the Town's balance sheets. He described the policy followed in recent years. When the policy began, the non-contributory pensions cost \$500k. As this expense decreases, the decrease is appropriated under this article to OPEB (retiree health care) trust fund. In addition, when the BoS increased the retiree copay from 10% to 15%, they stipulated that the additional 5% be directed into this fund. The fund now is worth \$3.7m. It was recently converted from a money market fund to a Vanguard balanced fund. Greco will provide a prospectus for this fund.

ACCEPTANCE OF LEGISLATION/INCREASE OF SURVIVORS BENEFITS: Bilafer described this provision of the pension reform act. He stated that the surviving spouse of a retiree who retired before 1996 would receive an additional \$3000 if the Town accepts this legislation. There are 50 retirees who meet the criteria. Of these, 23 have

died (spouses avg age 77.5) and 11 do not have a living spouse. The cost in FY12 would be \$37k. Bilafer could not provide an actuarial total cost estimate for accepting this legislation. FinCom members requested an estimate.

ACCEPTANCE OF LEGISLATION/INCREASE OF COLA BASE: Bilafer described this legislation, a pension reform provision, which would increase the base for computing the COLA for retirees from \$12k to \$15k. Bilafer suggested ramping the increase up \$1k per year for 3 yrs. He said the incremental cost in FY12 would be \$57k. He believes that since a COLA was not granted last year because active employees did not receive one, there are "funds available" to cover this increase. When asked, Greco stated that accepting this legislation would be irreversible. Members expressed concern that many unemployed residents are probably more needy than most Town retirees. Members requested a written explanation of the last 2 articles.

WARRANT REVIEW: The FinCom went through the warrant and identified the articles it would like to have presented by the sponsors. Turkall will arrange hearings over the next 2 wks. She will ask the Town Manager to address his articles on Wed after he presents the budget.

MINUTEMAN TECH: Tosti reported on the efforts of the charter review committee. The proposal to split the cost of capital projects 50:50 between per town basis and per student basis was not accepted by the school committee. A revised version was also rejected. Efforts continue. The capital project has been postponed.

BUDGET REVIEW: Tosti stated that the budget deficit is between \$5m and \$5.5m taking the Governor's budget into account. The FinCom agreed to apportion the \$106k that the Manager has suggested be reduced from the other appointing authorities according to their budgets with due regard to getting their legally required tasks accomplished. Tosti requested a written explanation of any such reduction to prepare for questions at Town Meeting.

REFERENCES:

Ref 1 Draft Warrant
RESERVE FUND BALANCE- \$916,740
Peter B Howard 2/8/11
cc FinCom Members, Library File, Town Web Site

**WARRANT FOR
ANNUAL TOWN MEETING
AND
SPECIAL TOWN MEETING**

DRAFT
2/7/11
11:00 AM

ELECTION

Saturday, April 2, 2011



**ANNUAL TOWN MEETING
Monday, April 25, 2011**

**SPECIAL TOWN MEETING
Monday, May 10, 2010**

TOWN OF ARLINGTON

**TOWN WARRANT
THE COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington qualified to vote in elections, to meet at the polling places designated for the several Precincts in said Town on

**SATURDAY
THE SECOND OF APRIL 2011**

at eight o'clock in the forenoon, to act on the following articles, namely:

ARTICLE 1 TO ELECT BY BALLOT:

- A) One Town Clerk for three years
- B) One Treasurer for three years
- C) Two Selectmen for three years
One Selectman for one year (to fill a vacancy)
- D) One Assessor for three years
- E) Three School Committee Members for three years
- F) One Member of the Arlington Housing Authority for
five years

Also, in accordance with the provisions of Chapter 43A of the General Laws, the number of Town Meeting Members hereinafter specified:

- PRECINCT 1 - Four for three years;
- PRECINCT 2 - Four for three years;
- PRECINCT 3 - Four for three years;
- PRECINCT 4 - Four for three years;
- PRECINCT 5 - Four for three years;
- PRECINCT 6 - Four for three years; One for two years (to fill a vacancy);
Two for one year (to fill vacancies).
- PRECINCT 7 - Four for three years;
- PRECINCT 8 - Four for three years;
- PRECINCT 9 - Four for three years;
- PRECINCT 10 - Four for three years;
- PRECINCT 11 - Four for three years; One for two years (to fill a vacancy).
- PRECINCT 12 - Four for three years; One for two years (to fill a vacancy).
- PRECINCT 13 - Four for three years;
- PRECINCT 14 - Four for three years;
- PRECINCT 15 - Four for three years; One for two years (to fill a vacancy).
One for one year (to fill a vacancy).
- PRECINCT 16 - Four for three years;
- PRECINCT 17 - Four for three years;
- PRECINCT 18 - Four for three years;
- PRECINCT 19 - Four for three years;

PRECINCT 20 - Four for three years; One for one year (to fill a vacancy).
PRECINCT 21 - Four for three years.

For these purposes, the polls will be opened at eight o'clock A.M. and remain open until eight o'clock P.M., at each of the polling places designated, viz.:

Precinct 1 Thompson School, entrance on North Union Street
Precinct 2 Hardy School, entrance on Brooks Avenue
Precinct 3 Thompson School, entrance on North Union Street
Precinct 4 Hardy School, entrance on Brooks Avenue
Precinct 5 Thompson School, entrance on North Union Street
Precinct 6 Hardy School, entrance on Brooks Avenue
Precinct 7 Chestnut Manor, entrance on Chestnut Terrace
Precinct 8 Town Hall, entrance on Massachusetts Avenue
Precinct 9 Chestnut Manor, entrance on Chestnut Terrace
Precinct 10 Town Hall, entrance on Massachusetts Avenue
Precinct 11 Bishop School, entrance on Stowecroft Road
Precinct 12 Brackett School, entrance on Eastern Avenue
Precinct 13 Stratton School, entrance on Mountain Avenue
Precinct 14 Bracket School, entrance on Eastern Avenue
Precinct 15 Stratton School, entrance on Mountain Avenue
Precinct 16 Dallin School, entrance on Florence Avenue
Precinct 17 Stratton School, entrance on Mountain Avenue
Precinct 18 Dallin School, entrance on Florence Avenue
Precinct 19 Peirce School, entrance on Newland Road
Precinct 20 Park Avenue Congregational Church, entrance on Paul Revere Road
Precinct 21 Peirce School, entrance on Newland Road

You are also required to notify and warn the said inhabitants to meet at the Town Hall in said Town on Monday the 25th day of April, 2011, at eight o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members, in accordance with and subject to the referenda provided for by Chapter 43A of the General Laws.

ARTICLE 2

STATE OF THE TOWN ADDRESS

To hear the Chair of the Board of Selectmen review important events in the past year in Arlington and preview expectations for next year.

(Inserted at the request of Vision 2020)

ARTICLE 3

REPORTS OF COMMITTEES

To receive, hear, and act upon the reports of the Board of Selectmen, Finance Committee, Redevelopment Board, and other committees, commissions, and boards heretofore appointed, including, without limitation: Permanent Town Building Committee (April 23, 1969), Vision 2020 Standing Committee (June 8, 1992), Commission on Disability (May 3, 1993), School Facilities "Working Group" (May 4, 1994), Bylaw Recodification Study Committee (May 9, 1994), Affordable Housing Task Force (May 3, 1999), Zoning Bylaw Review Committee (May 12, 1999), Uncle Sam Committee (May 17, 1999), Fields and Playgrounds Task Force (May 19, 1999), Maintenance Study Committee (May 1, 2000), Alewife Brook Advisory Committee (May

15, 2000), ~~Newsracks Study Committee (May 9, 2001)~~ Community Preservation Act Study Committee (May 21, 2001), Symmes Advisory Committee (May 21, 2001), Power Company Feasibility Committee (May 6, 2002), Community-Based Health Insurance Study Committee (April 30, 2003), Tree Committee (May 7, 2003), Post-Employment Medical Benefits Committee (May 17, 2004), Trust Fund Policies Committee (May 17, 2004), Information Technology Advisory Committee (May 17, 2004), Field Maintenance and Users Fee Study Committee (May 26, 2004), Symmes Neighborhood Advisory Committee (September 27, 2004), Private Way Procedures Committee (May 18, 2005), Symmes Neighborhood Committee (May 18, 2005), Explore Options for Additional Burial Spaces Committee (April 26, 2006), State Aid Task Force Committee (April 26, 2006), Part Time Elected Officials' Benefits Study Committee (May 1, 2006); G.I.S Review Committee (May 10, 2006); Bus Shelters Committee (May 2, 2007), Outdoor Swimming Pool (May 21, 2008), Town Government Reorganization Committee (2009), or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 4 **APPOINTMENT OF MEASURERS OF WOOD AND BARK**

To choose and appoint all the usual Town Officers not hereinbefore mentioned, in such a manner as the Town may determine; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 5 **ELECTION OF ASSISTANT TOWN MODERATOR**

To elect a Town Meeting Member as Assistant Moderator for a term of one year, as provided in Title I, Article 1, Section 11, A, of the Bylaws; or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE **ok** **ZONING MAP AMENDMENT TO ADD TOWN OWNED LAND ON POND LANE TO THE OPEN SPACE DISTRICT**

To see whether the Town will vote to amend the Zoning Map to change the zoning district of the Town-owned parcel of land on Pond Lane shown as Lot 8 on Assessors Map 10, Block 3 from the Residence 2 (R2) to the Open Space (OS) district, or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE **ok** **ZONING BYLAW AMENDMENT/ALLOW CEMETERY USE IN THE OPEN SPACE DISTRICT**

To see if the Town will vote to amend the Zoning Bylaw in Articles 5, 6, and 11, and elsewhere as may be required, to allow cemetery use solely for cremated remains on land under the jurisdiction of the Conservation Commission by special permit subject to Environmental Design Review; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

**ARTICLE ok ZONING BYLAW AMENDMENT/REMOVE "WIRELESS FACILITY"
FROM ENVIRONMENTAL DESIGN REVIEW OK**

To see if the Town will vote to amend Section 11.06 of the Zoning Bylaw to remove "wireless communication facility" from the list of special permit uses subject to Environmental Design Review; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE ok ZONING BYLAW AMENDMENT/MINIMUM LOT SIZE

To see if the Town will vote to amend Section 6.06 of the Zoning Bylaw to limit the grandfathering of undersized lots for one and two-family residential uses to those lots that have not previously been built upon, consistent with the requirements of Massachusetts General Laws Chapter 40A and the associated case law; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

**ARTICLE ok ZONING BYLAW AMENDMENT/FLOODPLAIN DISTRICT
AND INLAND WETLAND DISTRICT SPECIAL PERMITS**

To see if the Town will vote to amend Section 11.04 and 11.05 of the Zoning Bylaw to allow the Redevelopment Board to act on requests for Floodplain District and Inland Wetland District special permits in cases subject to Environmental Design Review; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

**ARTICLE ok ZONING BYLAW AMENDMENT/WETLAND
AND FLOODPLAIN OVERLAY MAP**

To see whether the Town will vote to amend Section 3.03 of the Zoning Bylaw ("Zoning Map") by adding to the "Wetland and Floodplain Overlay" map referenced therein the following wetlands and water resources:

1. Ryder Brook from the bikepath to behind 15 Ryder Street
2. wetland and stream behind 86 Coolidge Road;

or take any action related thereto.

(Inserted at the request of the Arlington Conservation Commission)

**ARTICLE ok ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING
REQUIREMENTS**

To see if the Town will vote to amend the zoning bylaw, Article 11, Section 11.08, (d) Requirements, (a) by adding after the phrase "the ARB may allow the Developer to make a financial contribution" "for use in creating Affordable Units and/or provide Affordable Units off site" and deleting the phrase "Affordable Housing Trust Fund"; and in (i), following the phrase "it is in the best interest of the Town to do so", deleting "or" and inserting "and"; in (ii), following the phrase "the provision of Affordable Units would" delete the words "result in a hardship such as" and replace it with "render"; and following the phrase "the project economically infeasible" add the word "or"; and add "(iii) the Project is located in an area designated as an Urban Renewal Area and provides significant public benefits"; and renumber the existing subsection (b) to be called (c), and existing (c) to become (d); and add a new (b) to read "In a Project located in an area designated as an Urban Renewal Area that also provides significant public benefits, the ARB may reduce the number of Affordable Units required to be provided, but in no circumstance may the

number of Affordable Units be less than 10% of the total number of Residential units in the Project"; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE ok ZONING BYLAW AMENDMENT/USE REGULATIONS, ASSISTED LIVING

To see if the Town will vote to amend the zoning bylaw, Article 5, Section 5.04—TABLE OF USE REGULATIONS, to change the use category of "Assisted Living" from "Residential" to "Institutional & Educational" by renumbering the use "Assisted Living" and its allowed districts from 1.13 to 2.11., or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE ok ZONING BYLAW AMENDMENT/DEFINITION, ASSISTED LIVING

To see if the Town will vote to amend the zoning bylaw, Article 2, Definitions, by changing the definition of "Assisted Living" by adding the following italicized and underlined words:

"Assisted Living: A residential care institutional development subject to certification under G.L. Chapter 19D...", or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE ok ZONING BYLAW AMENDMENT/FLOODPLAIN PROTECTION

To see if the Town will vote to amend Section 11.04.d of the Zoning Bylaw in conformance with the Federal Emergency Management Agency Flood Insurance Rate Maps by (1) deleting the phrase "Floodway as defined on the Wetland and Floodplain Overlay Map" and substituting therefore the phrase "regulatory floodway as defined by the Middlesex County FIRMS"; and (2) deleting Section 11.04.d.2.5 thereof; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE ok ZONING BYLAW AMENDMENT/OUTDOOR ADVERTISING AT PEIRCE FIELD

To see if the Town will vote to amend the Zoning Bylaws to allow the temporary display of advertising/sponsorship signs at Peirce Field; or take any action related thereto.

(Inserted at the request of Stephen Harrington and 10 registered voters)

ARTICLE ok BYLAW AMENDMENT/PORTABLE STORAGE CONTAINERS

To see if the Town will vote to amend Title V, Article 9 ("Placement of Dumpsters"), of the Bylaws to govern the placement of portable storage containers; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE ok BYLAW AMENDMENT/SIDEWALK SNOW REMOVAL ENFORCEMENT

To see if the Town will vote to amend the Town Bylaws (1) to include enhanced measures to enforce existing snow-removal obligations by residents, property-owners, and businesses, including but not limited to requiring reimbursement of Town expenses incurred in removing snow and ice from sidewalks that are not timely cleared in accordance with Town Bylaws; and 2) to impose municipal charges liens on responsible residents, property-owners, and businesses where such reimbursement is not timely paid; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE ☒ BYLAW AMENDMENT/INCREASE FINES FOR UNLEASHED DOGS
To see if the Town will vote to amend the Bylaw, Article 2, Section 2, Paragraph C (fines) to increase the fines for violation of Article 2, Section 2-Leashing of Dogs; or take any action related thereto.

(Inserted at the request of Christina Chalapatias and 10 registered voters)

ARTICLE ☒ BYLAW AMENDMENT/USE OF MINUTEMAN BIKEWAY
To see whether the Town will vote to (1) delete or amend Section 10 ("Minuteman Bikeway Hours") of Article 1 of Title III of the Bylaws to change the allowable hours of use of the Bikeway and/or require certain safety measures be taken by users of the Bikeway after dark; and/or (2) amend Section 11 ("Motorized Vehicles on Minuteman Bikeway") of Article 1 of Title III of the Bylaws to clarify the definition of "motorized vehicles" that are prohibited from the Bikeway, determine penalties for violation of the Bylaws as so amended; or take any action related thereto.

(Inserted at the request of the Arlington Bicycle Advisory Committee)

ARTICLE ☒ BYLAW AMENDMENT/CLOSING OF WARRANT
To see if the Town will vote to amend the Bylaws, Title 1, Article 1, Sec. 2 to provide that the Warrant for the Annual Town Meeting shall remain open until 60 days before the Annual Town Election; or take any action related thereto.

(Inserted at the request of The Town Meeting Procedures Committee)

ARTICLE ☒ BYLAW AMENDMENT/TOWN MEETING STANDING VOTES
To see if the Town will vote to amend the Bylaws, Title 1, Article 1, Section 10 (c) as follows: "Provided that, whenever a vote of a supermajority of the Town Meeting Members present and voting is required on any matter, the Moderator may declare a motion passed by a voice vote of a supermajority in favor and a standing vote need not be taken unless required by law or these By-Laws, or unless requested by five voters"; or take any action related thereto.

(Inserted at the request of The Town Meeting Procedures Committee)

ARTICLE ☒ BYLAW AMENDMENT/MASSACHUSETTS PUBLIC RECORDS LAW
To see if the Town will vote to adopt a bylaw to set the fee charged for the provision of copies of electronic communications provided in response to requests made under the Massachusetts Public Records Law to the lesser of the amount allowed by said law or 20 cents per electronic message (including any attachments) provided plus fifty dollars per request; or take any action related thereto.

(Inserted at the request of Christopher P. Loreti and 10 registered voters)

ARTICLE ☒ BYLAW AMENDMENT/SOLICITATION AND RECEIPT OF GIFTS
To see if the Town will vote to adopt a bylaw to prohibit municipal employees, including special municipal employees, from asking for or accepting anything of any value, including any form of professional services, from those with whom they have official dealings; or take any action related thereto.

(Inserted at the request of Christopher P. Loreti and 10 registered voters)

ARTICLE ☒ BYLAW AMENDMENT/TRASH REMOVAL
To see if the Town will vote to amend the Town Bylaws to require compliance with Town solid-waste removal methods, provide for enforcement and determine penalties for violations thereof; or

take any action related thereto.

(Inserted at the request of Vision 2020 Sustainable Arlington)

ARTICLE

BYLAW AMENDMENT/ SPY POND MOTORBOAT

To see if the Town will vote to approve a bylaw creating a no-wake zone within 50 feet of any shore, including Elizabeth Island, for motorboats on Spy Pond.

(Inserted at the request of the Friends of Spy Pond Park and 10 registered voters)

ARTICLE

ok

VOTE/SPY POND MOTORBOAT REGULATIONS SIGN

To see if the Town will vote to approve a new sign specifying all motorboat regulations (including no-wake bylaw if approved, 10 horsepower and 10 mph limit) and boating courtesy expectations for the Spy Pond boat ramp and will vote to appropriate the funds for creating and posting the sign.

(Inserted at the request of the Friends of Spy Pond Park and 10 registered voters)

ARTICLE

ok

ACCEPTANCE OF LEGISLATION/INCREASE OF COLA BASE

To see if the Town will vote to accept the provisions of Section 19 of Chapter 188 of the Acts of 2010, which amends Section 103 (j) of Chapter 32 of the Massachusetts General Laws giving the Contributory Retirement Board authority to increase the maximum base on which the cost-of-living increase is calculated for retirees of the Arlington Retirement System from \$12,000 to \$15,000; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

ARTICLE

**ACCEPTANCE OF LEGISLATION/INCREASE OF SURVIVORS
BENEFITS ok**

To see if the Town will vote to accept the provisions of Section 28 of Chapter 131 of the Acts of 2010 to increase the benefit paid to survivors under Massachusetts General Law Chapter 32, Section 101 from \$6,000 to \$9,000 annually; or take action related thereto.

(Inserted at the request of the Contributory Retirement Board)

ARTICLE

ok

**HOME RULE LEGISLATION/SALES OF WINE AND
MALT BEVERAGES IN THEATERS**

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation with the General Court to allow for the placement on the official ballot for the 2012 Annual Town Election the following question: "Shall the Board of Selectmen be authorized to grant licenses for the sale of wine and malt beverages in theaters with seating capacity of at least 100?"; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE

ok

**HOME RULE LEGISLATION/TWO ADDITIONAL
LICENSES FOR THE SALE OF ALCOHOLIC
BEVERAGES NOT TO BE DRUNK ON THE PREMISES**

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation with the General Court to allow for the placement on the official ballot for the 2012 Annual Town Election the following question: "Shall the Board of Selectmen of the Town of Arlington be authorized to issue two additional licenses for the sale of all alcoholic beverages not to be drunk on the premises?"; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE ok

HOME RULE LEGISLATION/EXEMPTION OF NON-PUBLIC-SAFETY TOWN EMPLOYEES FROM CIVIL SERVICE

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation to exempt prospectively non-public-safety Town employees from Chapter 31 of the General Laws; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE ok

HOME RULE LEGISLATION/GROUP INSURANCE COMMISSION

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation with the General Court to allow the Town to provide health-insurance benefits to its employees, retirees, and their dependents through the Group Insurance Commission without the necessity of collective bargaining; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE ok

HOME RULE LEGISLATION/WIRELESS ANTENNA LEASES

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation to amend Chapter 44 of the Acts of 1998, An Act Authorizing the Town Manager in the Town of Arlington to Lease Certain Park Land and Other Open Spaces to Wireless Communications Companies for the Erection of Wireless Antennas or other related appurtenant structures, to provide continued authority to set aside the proceeds from such leases for the maintenance and improvement of parks, playgrounds, and open space; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE ok

**HOME RULE LEGISLATION/GROUP INSURANCE COMMISSION
HEALTH REIMBURSEMENT ACCOUNTS**

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation with the General Court to allow the Town to offer Health Reimbursement Accounts For its employees in the Group Insurance Commission; or take any action related thereto.

(Inserted at the request of Barbara Goodman and 10 registered voters)

ARTICLE

VOTE/PAY AS YOU THROW (PAYT) TRASH COLLECTION PROGRAM

To see if the Town will vote to implement a pay as you throw (PAYT) trash collection program, including any changes to its Bylaws, rules and regulations and/or the adoption of a supporting resolution as may be required for implementation of said PAYT trash collection program; or take any action related thereto.

(Inserted at the request of the Arlington Recycling Committee)

ARTICLE

ok

TRANSFER OF REAL ESTATE/23 MAPLE STREET

To see if the Town will vote to transfer the care, custody, management, and control of 23 Maple Street and/or its appurtenant land to the Board of Selectmen; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE

ok

DISPOSITION OF REAL ESTATE/23 MAPLE STREET

To see if the Town will vote to authorize the Board of Selectmen to dispose of 23 Maple Street and/or its appurtenant land by sale or otherwise under such terms as the Town may specify consistent with applicable legal requirements; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE

ok

DISPOSITION OF REAL ESTATE/PARMENTER SCHOOL

To see if the Town will vote to authorize the Board of Selectmen to dispose of the Parmenter School and/or its appurtenant land by sale or otherwise with proceeds to be set aside for future school capital improvement projects and under such other terms as the Town may specify consistent with applicable legal requirements; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE

ok

DISPOSITION OF REAL ESTATE/CROSBY SCHOOL

To see if the Town will vote to authorize the Board of Selectmen to dispose of the Crosby School and/or its appurtenant land by sale or otherwise with proceeds to be set aside for future school capital improvement projects and under such other terms as the Town may specify consistent with applicable legal requirements; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE

ok

VOTE/CROSBY SCHOOL LAND

To instruct the Board of Selectmen to retain as open space all lands appurtenant to the Crosby School.

(Inserted at the request of Charles Simas and 10 registered voters)

ARTICLE

VOTE/REPLACE BRICK CURB CUTS/SIDEWALKS/CROSSINGS

To see if the Town will vote to adopt a policy of replacing brick curb cuts; sidewalks and crossings in need of repair; or take any action related thereto.

(Inserted at the request of the Arlington Commission on Disability)

ARTICLE

VOTE/REPLACE BRICK ENTRANCE 27 MAPLE STREET

To see if the Town will vote to replace the brick entrance from the drop off area at 27 Maple Street; or take any action related thereto.

(Inserted at the request of the Arlington Commission on Disability)

ARTICLE

APPROPRIATION/ARLINGTON'S WATER BODIES FUND

To see if the Town will appropriate a sum of money to the Town's Water Bodies Fund for the maintenance, treatment and oversight of the Town's water bodies, said sum (\$15,000.00) to be raised by the general tax and expended under the direction of the Town Manager who will also report to Town Meeting on the status of the fund; or take any action related thereto.

(Inserted at the request of the Vision 2020 Standing Committee, its Environment Task Group's Spy Pond Committee)

ARTICLE

ok

APPROPRIATION/ARLINGTON'S WATER BODIES FUND

To see if the Town will appropriate a sum of money to the Town's Water Bodies Fund for maintenance, treatment, and oversight of the Town's water bodies, said sum (\$20,000) to be raised

by the general tax and expended under the direction of the Town Manager; or take any action related thereto.

(Inserted at the request of the Conservation Commission)

ARTICLE

VOTE/ANNUAL RESERVE FUND

To see if the Town will adopt the practice of appropriating to the Annual Reserve Fund an amount equal to one percent (1%) of the Town's annual appropriation, and the practice of using of the Annual Reserve Fund to fund unforeseen expenses incurred by all Town Departments (including the school department); or take any action related thereto.

(Inserted at the request of the Vision 2020 Fiscal Resources Task Group)

ARTICLE

AMEND TOWN MANAGER ACT/CONSOLIDATED TOWN-SCHOOL HUMAN RESOURCE DEPARTMENT

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation to amend "An Act Establishing a Town Manager Form of Government for the Town Of Arlington," as adopted through Chapter 503 of the Acts of 1952 and as subsequently amended, to delete the existing Sections 24 and 24A relating to the Town Personnel Department and Personnel Board and replace them with a consolidated Human Resource Department and Human Resource Board serving all Town and School Department appointing authorities, provided nothing herein shall violate school department prerogatives under Chapter 71 section 37M of the Massachusetts General Laws; or take any action related thereto.

(Inserted at the request of the Town Government Reorganization Committee)

ARTICLE

BYLAW AMENDMENT/CONSOLIDATED TOWN-SCHOOL HUMAN RESOURCE DEPARTMENT

To see if the Town will vote to amend Title I, Article 6 ("Classification and Compensation Plans and Personnel Bylaw") and/or any other relevant provision of the Bylaws to authorize and implement a consolidated Human Resource Department and Human Resource Board serving all Town and School Department appointing authorities, provided nothing herein shall violate school department prerogatives under Chapter 71 Section 37M of the Massachusetts General Laws, or take any action related thereto.

(Inserted at the request of the Town Government Reorganization Committee)

ARTICLE

BYLAW AMENDMENT/ANNUAL FINANCIAL REPORT

To see if the Town will vote to amend Title 1 of the Bylaws to require the preparation of an abbreviated Town financial report, as recommended by the Government Finance Officers Association and referred to as—The Public Access Finance Report, to appropriate the necessary funds to do an annual mailing to all households in the Town; or take any action related thereto.

(Inserted at the request of the Town Government Reorganization Committee)

ARTICLE

AMEND TOWN MANAGER ACT/BUDGET SUBMISSIONS

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation to amend "An Act Establishing a Town Manager Form of Government for the Town of Arlington," as adopted through Chapter 503 of the Acts of 1952 and as subsequently amended, to

set procedural, timing and substantive requirements concerning the submission of annual budget requests to the School Committee, Board of Selectmen, and Finance Committee, or take any action related thereto.

(Inserted at the request of the Town Government Reorganization Committee)

ARTICLE

BYLAW AMENDMENT/BUDGET SUBMISSIONS

To see if the Town will vote to amend the Bylaws to set procedural, timing and substantive requirements concerning the submission of annual budget requests to the School Committee, Board of Selectmen, and Finance Committee, or take any action related thereto.

(Inserted at the request of the Town Government Reorganization Committee)

ARTICLE

CREATE COMMITTEE FOR LONG TERM PLANNING

To see if the Town will vote to establish a committee to review long-term economic, social, and political trends that could affect the Town and to make reports and recommendations to Town Officials or take any action related thereto.

(Inserted at the request of the Town Government Reorganization Committee)

ARTICLE ok VOTE/EXTEND TOWN REORGANIZATION COMMITTEE OF 2009

To see if the Town will vote to amend the vote of the 2009 Town Meeting under Article 32 to provide that the Town Government Reorganization Committee of 2009 shall dissolve upon completion of the 2012 Annual Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Government Reorganization Committee)

ARTICLE ok VOTE/IMPLEMENTATION OF CONSOLIDATED TOWN-SCHOOL FINANCE DEPARTMENT

To see if the Town will vote to request the Town Manager to work with the Board of Selectmen and the School Committee to take all necessary measures for the implementation of a consolidated Town-School Finance Department; or take any action related thereto.

(Inserted at the request of Alan H. Jones and 10 registered voters)

ARTICLE

ok

REVOLVING FUNDS

To see if the Town will vote to reauthorize revolving funds established under various previous votes of the Town, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds or to amend the votes under any previously adopted revolving funds, to appropriate a sum of money to fund same, to determine how the money shall be raised or expended; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE

ok

ENDORSEMENT OF CDBG APPLICATION

To see if the Town will vote to endorse the application for Federal Fiscal Year 2012 prepared by the Town Manager and the Board of Selectmen under the Housing and Community Development Act of 1974 (PL 93-383) as amended; or take any action related thereto.

(Inserted by the Board of Selectmen and at the request of the Town Manager)

ARTICLE

ok

COLLECTIVE BARGAINING

To see if the Town will vote to fund any fiscal items in the event that any are contained in collective bargaining agreements between the Town and the following named collective bargaining units, and to fund for non-union, M Schedule, and elected officials' salaries or fringe benefits, determine how the money shall be raised and expended; or take any action related thereto:

- A. Local 680, American Federation of State, County and Municipal Employees;
- B. Service Employees International Union (formerly NAGE);
- C. Robbins Library Professional Association;
- D. Local 1297, International Association of Firefighters;
- E. Arlington Patrolmen's Association;
- F. Arlington Ranking Police Officers' Association;
- G. M Schedule and non-union employees; and
- H. Full-time elected officials

(Inserted at the request of the Town Manager)

ARTICLE

ok

POSITIONS RECLASSIFICATION

To see if the Town will vote to make additions, deletions and/or modifications to the Classification and Pay Plan, appropriate a sum of money to fund same if necessary, determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Personnel)

ARTICLE

ok

APPROPRIATION/TOWN BUDGETS

To see if the Town will vote to make appropriations to defray Town obligations, liabilities, outlay and expenses and especially for or relating to all or any of the boards, departments, purposes and matters hereinafter mentioned, and to provide for the disposal of motor vehicles and other personal property belonging to the Town, determine how the money shall be raised and expended; or take any action related thereto:

Finance Committee, Board of Selectmen, Town Manager, Personnel, Comptroller, Information Technology, Town Treasurer and Collector of Taxes, Assessors, Legal and Worker's Compensation, Town Clerk, Registrars, Planning and Community Development, Redevelopment Board, Parking, Zoning Board of Appeals, Public Works, Cemeteries, Community Safety, School Department, Libraries, Human Services, Insurance, Non-Contributory Pensions, Contributory Pensions, Town Debt and Interest, Reserve Fund, and/or any other Town Departments, Boards, Commissions or Committees, Water and Sewer Enterprise Fund, Recreation Enterprise Fund, Council on Aging Transportation Enterprise Fund, Veterans' Memorial Rink Enterprise Fund, and Youth Services Enterprise Fund.

(Inserted by the Board of Selectmen and at the request of the Town Manager)

ARTICLE

ok

CAPITAL BUDGET

To see if the Town will vote to appropriate a sum of money to defray the expense of purchasing, leasing, or bonding of capital equipment, infrastructure, buildings or other projects of the Town or to acquire real property for municipal purposes; to appropriate a sum of money to fund previously incurred or future Town debt, to acquire land for said projects where necessary by purchase, eminent domain taking or otherwise, determine how the money shall be raised including the

possibility of borrowing any or all of the same, or the transfer of funds from any previous appropriation, determine how such money shall be expended; or take any action related thereto.

(Inserted by the Board of Selectmen, and at the request of the Town Manager and the Capital Planning Committee)

**ARTICLE ☒ APPROPRIATION/TAKINGS-MASSACHUSETTS AVENUE
SIDEWALKS**

To see if the Town will vote to act by and through the Board of Selectmen to take by eminent domain, purchase, or otherwise acquire outright, or acquire permanent or temporary easements, along Massachusetts Avenue between Pond Lane and the Cambridge City Line for the purpose of improving or replacing sidewalks in connection with the Commonwealth's Transportation Improvement Program, to appropriate a sum or sums of money for such acquisitions, determine how the money will be raised and expended, including the possibility of borrowing any or all of it; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

**ARTICLE ☒ APPROPRIATION/FINANCING OF CONSTRUCTION OR
RECONSTRUCTION OF SEWERS AND SEWERAGE FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of sewers and sewerage facilities for inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto, and to determine how the appropriation shall be raised or expended, including the possibility of borrowing all or some of same; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

**ARTICLE ☒ APPROPRIATION/FINANCING OF CONSTRUCTION OR
RECONSTRUCTION OF WATER MAINS AND WATER
FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto, and to determine how the appropriation shall be raised and expended including the possibility of borrowing all or some of same; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

**ARTICLE ☒ APPROPRIATION/MINUTEMAN REGIONAL
VOCATIONAL TECHNICAL HIGH SCHOOL**

To see if the Town will vote to appropriate a sum of money for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, of the Minuteman Regional Vocational Technical High School, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of Minuteman Regional Vocational School District Committee)

ARTICLE ☒ APPROPRIATION/COMMITTEES AND COMMISSIONS

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of various committees, commissions, and boards of the Town, determine how the money

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shall be raised; provided that any funds appropriated hereunder shall remain under the jurisdiction of said entities until expended at their direction, unless otherwise appropriated by the Town Meeting; the entities included hereunder, without limitation, are: Arlington Historical Commission, Arlington Recycling Committee, Avon Place Historic District Commission, Broadway Historic District Commission, Central Street Historic District Commission, Mt. Gilboa/Crescent Hill Historic District Commission, Jason/Gray Historic District Commission, Pleasant Street Historic District Commission, Russell Historic District Commission, Conservation Commission, Capital Planning Committee, Commission on Disability, Personnel Board, Public Memorial Committee, Human Rights Commission, Scenic Byway/Tourism/Economic Development Committee and any other Town Committee or commission; or take any action related thereto.

(Inserted at the request of the Town Moderator and the Finance Committee)

ARTICLE ok APPROPRIATION/TOWN CELEBRATIONS, ETC.

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Town Manager for the following celebrations and memorials, determine how the money shall be raised and expended; or take any action related thereto:

Veterans' Day Parade

Memorial Day Observation and the Patriots' Day Celebration

Display of American Flags on Massachusetts Avenue

Placing of American Flags on the Graves of Veterans

(Inserted at the request of the Town Manager)

ARTICLE ok APPROPRIATION/MISCELLANEOUS

To see if the Town will vote the following:

Legal Defense – To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13, Section 5 of Title 1 of the Town Bylaws, Out-Of-State Travel – To appropriate a sum of money for expenses incurred outside the Commonwealth and as described in the General Laws, Chapter 40, Section 5, Paragraph 34, said appropriation to be expended under the direction of the Board of Selectmen and the Town Manager, Indemnification of Medical Costs, to appropriate a sum of money in accordance with the provisions of Chapter 41, Section 100B of the General Laws, to indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred, determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE ok APPROPRIATION/PENSION ADJUSTMENT FOR FORMER TWENTY-FIVE YEAR/ACCIDENTAL DISABILITY EMPLOYEE

To see if the town will vote to appropriate a sum of money to implement the provisions of Chapter 32 of Massachusetts General Laws Section 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town and those employees who retired under an Accidental Disability; provided, however, that no one who retires after May 1, 2010 shall be eligible under this vote unless they qualify for at least a fifty percent pension, without this vote upon their retirement. This adjustment to be paid to those who qualify, and administered in accordance with prior practice

and understanding relating to the retirement allowance of said retirees; determine how the money shall be raised and expended; or take action related thereto.

(Inserted at the request of the Contributory Retirement Board)

ARTICLE **ok** **APPROPRIATION/OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND**

To see if the Town will vote to accept into the Other Post Employment Benefits (OPEB) Trust Fund, established by Chapter 161 of the Acts of 2005, an appropriation of funds and/or the transfer of additional monies that the Town may deem advisable from other sources, including any monies previously deposited into any of the Town's stabilization funds for this purpose, in order to administer and fund its OPEB obligation as described in the said Chapter 161 of the Acts of 2005; determine how the monies shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

ARTICLE **ok** **APPROPRIATION/OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND**

To see if the Town will appropriate funds and/or the transfer of additional monies that the Town may deem advisable from other sources in order to administer and fund its OPEB obligation as described in said Chapter 161 of the Acts of 2005; determine how the monies shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE **ok** **LOCAL OPTION TAXES**

To see if the Town will vote to accept any local option taxes or other revenue raising options, which are made available to cities and towns through enactments of the legislature, by state regulation or court action; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE **ok** **APPROPRIATION/TIP FEE STABILIZATION**

To see if the Town will vote to make an appropriation/transfer from the Tip Fee Stabilization Fund established by Chapter 8 of the Acts of 1998 for any purpose allowed by such act, to determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE **ok** **TRANSFER OF FUNDS/CEMETERY**

To see if the Town will vote to transfer a sum of money to the Cemetery Commissioners for the improvement of Town cemeteries, said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves or Perpetual Care Funds"; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE

ok

APPROPRIATION/OVERLAY RESERVE

To see if the Town will vote to appropriate a sum of money from previous years overlay reserve surplus accounts, determine to what purpose this appropriation shall be made; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE

ok

APPROPRIATION/STABILIZATION FUND

To see if the Town will make an appropriation to the Stabilization Fund in accordance with the Provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE

ok

USE OF FREE CASH

To see if the Town will vote to authorize the taking of a sum of money voted for appropriations heretofore made at the Town Meeting under the Warrant and not voted to be borrowed from available funds in the Treasury, and authorize the Assessors to use free cash in the Treasury to that amount in the determination of the tax rate for the Fiscal Year beginning July 1, 2011; or take any action related thereto.

(Inserted at the request of the Finance Committee)

HOW TO VOTE BY ABSENTEE BALLOT

Reasons for voting absentee

You may vote absentee if you are registered and will be unable to vote at the polls on Election Day because of

Absence from the Town
Physical disability
Religious beliefs

Illegal absentee voting is punishable by a fine of up to \$10,000 and up to five years in prison.

Applying for an absentee ballot

You must apply for an absentee ballot from the Town Clerk no later than noon of the day before the election. Applications may be mailed or hand delivered and you may use any form of written communication (letter or postcard) or the official application form.

Include on the application

Your name as registered
Your registration address
Precinct, if you know it
The precise address to which you wish the ballot sent
Your own signature

Requesting to vote by mail

A ballot will be sent to any address you specify including your own home. Be sure to apply early because the ballots must be sent by mail and may be returned by mail or hand delivered.

Requesting to vote in person

If you prefer, you may request to vote in person before Election Day. You may vote at the Town Hall before Election Day at a time arranged with the Clerk, but application for your ballot must be made no later than noon of the day before the election. A voter may apply for an absentee ballot and then vote over-the-counter during the same visit.

Applying to vote if you are absent from the state, in the armed services or a prisoner

Registered and unregistered residents of Massachusetts outside the state and residents on active duty in the armed forces and merchant marine and their spouses or dependents, and prisoners, may vote absentee. They may request an absentee ballot from the Town where they legally reside (if outside the U.S., where they resided last before leaving). In addition, a close relative may apply on their behalf in person at the Town Clerk's Office.

A parent of a registered voter who is a student at a Massachusetts college or university may apply for an absentee ballot on the student's behalf to the Town Clerk where the student is registered.

In all cases, unregistered voters must register in person when they return to the state, since this does not establish permanent registration.

What if I am permanently physically disabled?

If you are permanently physically disabled and cannot cast your vote at the polling place, you may file a letter from your physician with the Town Clerk, stating that you are permanently unable to cast your vote at the polling place because of physical disability. A completed application for an absentee ballot, for you to sign and return, must be mailed by the Town Clerk to you at least 28 days before every primary and election.

NOTE: Voters who are admitted to a health care facility after noon of the fifth day before an election may apply for an absentee ballot up until the polls close on the day of the election (rather than noon the day before the election) and must designate a person to hand deliver and return the absentee ballot.